

MAR 16 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Bhardwaj et al.**

Group Art Unit: 2882

Application Number: 09/977,065

Confirmation No. 1790

Filed: **October 12, 2001**

Examiner: Krystyna Suchecki

Atty. Docket No. 78186 (25-4 US)

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

VIA FACSIMILE NO. 703-872-9306

**Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Petition for Correction of Inventorship under 37 CFR 1.48(a)

Sir:

In view of the papers filed October 12, 2001 under serial No. 09/977,065, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a).

The inventorship of this application has been changed by the addition of

Hiroaki Yamada, 2263 McLaughlin Avenue, #2, San Jose, California, 95122-3548, U.S.A.

Upon review of this application, it has been determined that Hiroaki Yamada has made a significant contribution to this application and that his name was inadvertently omitted from the originally filed unsigned declaration and the originally filed application data sheet.

Attached please find a statement from Hiroaki Yamada stating that this error occurred without deceptive intent and that the invention as claimed included participation from Hiroaki Yamada.

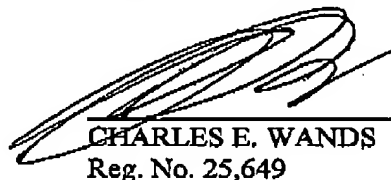
A Revised Declaration reflecting this change to the inventorship has been signed by all of the inventors, and is duly attached hereto.

An assignment from the inventors, including Hiroaki Yamada, to Scion Photonics, Inc. was recorded on February 11, 2002 under reel/frame 012600/0027.

Please charge the required fee of \$130.00 Deposit Account No: 50-1465.

Please charge any additional fees or credit overpayment to Deposit Account No: 50-1465.

Respectfully submitted,



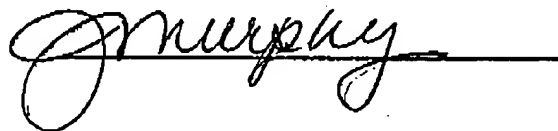
CHARLES E. WANDS
Reg. No. 25,649

CUSTOMER NO. 27975

Telephone: (321) 725-4760

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 703-872-9306 to M/S PETITIONS, COMMISSIONER FOR PATENTS, this 16 day of March 2005.



MAR 16 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of Bhardwaj et al Group Art Unit: 2882

Application Number: 09/977,065

Filed: October 12, 2001

Examiner: Krystyna Suchecki

For: WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of Ottawa
Province of Ontario, Canada

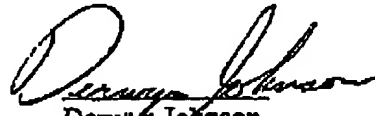
I, Derwyn Johnson, declare that all statements made of my own knowledge are true,
and that all statements made on information and belief are believed to be true:

1. JDS Uniphase Corporation acquired the rights to United States Patent Application No. 09/977,065, entitled Waveguide Stress Engineering And Compatible Passivation In Planar Lightwave Circuits from Scion Photonics, Inc. (see Reel/Frame 013234 /0007). Scion Photonics, Inc. acquired the rights to United States Patent Application No. 09/977,065 from inventors Jyoti K. Bhardwaj, Robert J. Brainard, Zi-Wen Dong, David J. Dougherty, Erik W. Egan, Niranjan Gopinathan, David K. Nakamoto, Thomas T. Nguyen, Sanjay M. Thekdi, Anantharaman Vaidyanathan, Hiroaki Yamada, and Yingchao Yan (see Reel/Frame 012600/0027).

2. JDS Uniphase Corporation agrees that the inventorship of United States Patent Application No. 09/977,065, entitled "Waveguide Stress Engineering And Compatible Passivation In Planar Lightwave Circuits" should include Hiroaki Yamada.

3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of Ottawa in the
Province of Ontario, Canada,
this 10th day of March, 2005



Derwyn Johnson
Senior Technical Advisor, Intellectual
Property
JDS Uniphase Corporation

GENERAL POWER OF ATTORNEY

The undersigned, **JDS Uniphase Corporation**, registered in Delaware and located at
1768 Automation Parkway, San Jose, California, 95131, United States of America

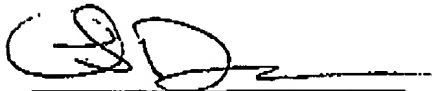
hereby grants the following employees:

Matthew Fawcett
Associate General Counsel & Director, Global Intellectual Property

Jeremiah Chan
Corporate Counsel, Intellectual Property

Derwyn Johnson
Senior Technical Advisor, Intellectual Property

authority to sign, on behalf of JDS Uniphase Corporation, all patent related documents
and Power of Attorney documents, on all US and foreign patents and applications.

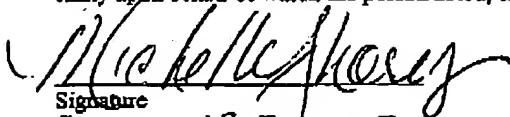


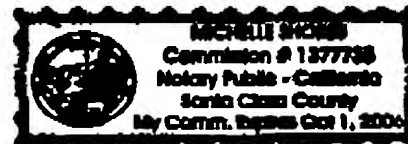
JDS Uniphase Corporation
Christopher S. Dewees
Vice President and General Counsel

February 18, 2005
Date:

STATE OF California)
) ss.
County of Santa Clara)

On February 18, 2005, before me Michelle Shores, Notary Public, personally appeared Christopher S. Dewees personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.


Signature
Com # 1377735



(seal)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Bhardwaj et al.** Group Art Unit: 2882

Application Number: 09/977,065

Filed: **October 12, 2001**

Examiner: **Krystyna Suchecki**

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, Jyoti K. Bhardwaj, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include Hiroaki Yamada.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 11th
day of March, 2005.


Jyoti K. Bhardwaj

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Bhardwaj et al.** Group Art Unit: 2882

Application Number: 09/977,065

Filed: **October 12, 2001**

Examiner: **Krystyna Suchecki**

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, Robert J. Brainard, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include Hiroaki Yamada.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 11th
day of March, 2005.


Robert J. Brainard

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Bhardwaj et al. Group Art Unit: 2882

Application Number: 09/977,065

Filed: October 12, 2001

Examiner: Krystyna Suchecki

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, Zi-Wen Dong, declare that all statements made of my own knowledge are true,
and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include Hiroaki Yamada.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 11th
day of March, 2005.


Zi-Wen Dong

3/11/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Bhardwaj et al.** Group Art Unit: 2882

Application Number: 09/977,065

Filed: **October 12, 2001**

Examiner: **Krystyna Suchecki**

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, David J. Dougherty, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include Hiroaki Yamada.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 14th
day of March, 2005.


David J. Dougherty

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of **Bhardwaj et al.** Group Art Unit: **2882**

Application Number: **09/977,065**

Filed: **October 12, 2001**

Examiner: **Krystyna Suchecki**

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, **Erik W. Egan**, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. **09/977,065**, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. **09/977,065** should include **Hiroaki Yamada**.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 14
day of March, 2005.


Erik W. Egan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Bhardwaj et al** Group Art Unit: 2882

Application Number: 09/977,065

Filed: **October 12, 2001**

Examiner: **Krystyna Suchecki**

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, Niranjan Gopinathan, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include Hiroaki Yamada.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 9th
day of March, 2005.


Niranjan Gopinathan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Bhardwaj et al.** Group Art Unit: 2882

Application Number: **09/977,065**

Filed: **October 12, 2001**

Examiner: **Krystyna Snchecki**

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, David K. Nakamoto, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include Hiroaki Yamada.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 9th
day of March, 2005.


David K. Nakamoto

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Bhardwaj et al.** Group Art Unit: 2882

Application Number: 09/977,065

Filed: **October 12, 2001**

Examiner: **Krystyna Suchecki**

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

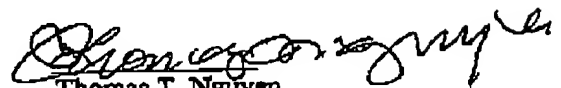
Sir:

City of San Jose
State of California,

I, Thomas T. Nguyen, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include Hiroaki Yamada.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 10th
day of March, 2005.


Thomas T. Nguyen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Bhardwaj et al. Group Art Unit: 2882

Application Number: 09/977,065

Filed: October 12, 2001

Examiner: Krystyna Suchecki

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, Sanjay M. Thekdi, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include Hiroaki Yamada.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 10th
day of March, 2005.


Sanjay M. Thekdi

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Bhardwaj et al.** Group Art Unit: **2382**

Application Number: **09/977,065**

Filed: **October 12, 2001**

Examiner: **Krystyna Suchecki**

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, **Anantharaman Vaidyanathan**, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include **Hiroaki Yamada**.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 13th
day of March, 2005.


Anantharaman Vaidyanathan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Bhardwaj et al. Group Art Unit: 2382

Application Number: 09/977,065

Filed: October 12, 2001

Examiner: Krystyna Suchecki

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, Hiroaki Yamada, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I should have been an applicant of the above-identified United States Patent Application No. 09/977,065, as I am an inventor of the subject matter described and claimed therein.
2. The inventorship error of failing to include me as an inventor of the patent application occurred without any deceptive intention on my part.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 9
day of March, 2005.


Hiroaki Yamada

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Bhardwaj et al.** Group Art Unit: 2882

Application Number: **09/977,065**

Filed: **October 12, 2001**

Examiner: **Krystyna Suchecki**

For: **WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement in Support of a Petition to Add an Inventor Under 37 CFR 1.48(a)

Sir:

City of San Jose
State of California,

I, Yingchao Yan, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true;

1. I am an applicant of the above-identified United States Patent Application No. 09/977,065, and an inventor of the subject matter described and claimed therein.
2. I agree that the inventorship of United States Patent Application No. 09/977,065 should include Hiroaki Yamada.
3. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of San Jose in the
State of California, this 14th
day of March, 2005.



Yingchao Yan

File No: 25-4 US

DECLARATION FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office addresses and citizenship are as stated below next to our names, Jyoti K. Bhardwaj, Robert J. Brannard, Zi-Wen Dong, David J. Dougherty, Erik W. Egan, Niranjan Gopinathan, David K. Nakamoto, Thomas T. Nguyen, Sanjay M. Thekdi, Anantharaman Vaidyanathan, Hiroaki Yamada, and Yingchao Yan.

We are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**WAVEGUIDE STRESS ENGINEERING AND COMPATIBLE
PASSIVATION IN PLANAR LIGHTWAVE CIRCUITS**

the specification of which is attached hereto.

If we hereby authorize my/our attorney to insert here in parentheses (Application Number 09/977,063, filed October 12, 2001), the filing date and application number of said application, when known,

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of the Federal Regulations, §1.56(a).

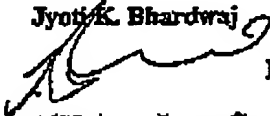

We hereby appoint the following agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

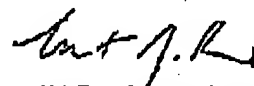
CHARLES WANDS, Registration Number: 25,649

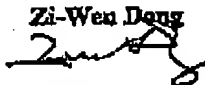
Direct all correspondence to the
address associated with Customer Number: **27975**

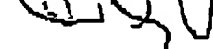

Address all telephone calls to:
at telephone number: **Charles E. Wands, Regn. No: 25,649
(321) 725-4760**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Jyoti K. Bhardwaj
Inventor's signature:  Date: 3/11/05
Residence: ~~1633 Aster Lane, Cupertino, California, 95014, U.S.A.~~ 11701 TIMBER SPRING CT.
Post office address: ~~1633 Aster Lane, Cupertino, California, 95014, U.S.A.~~ Cupertino, CA 95014
Citizenship: United Kingdom  USA

Full name of second inventor: Robert J. Brainard
Inventor's signature:  Date: 3/11/05
Residence: 780 Ponderosa Avenue, Sunnyvale, California, 94086, U.S.A.
Post office address: 780 Ponderosa Avenue, Sunnyvale, California, 94086, U.S.A.
Citizenship: United States of America

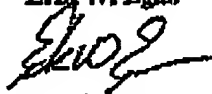
Full name of third inventor: Zi-Wen Deng
Inventor's signature:  Date: 3/11/05
Residence: 113 Chesapeake Drive, Union City, California, 94587, U.S.A.
Post office address: 113 Chesapeake Drive, Union City, California, 94587, U.S.A.
Citizenship: China

Full name of fourth inventor: David J. Dougherty  3/14/05
Inventor's signature:  Date:
Residence: 271 Sierra Vista #1, Mountain View, California, 94043, U.S.A.
Post office address: 271 Sierra Vista #1, Mountain View, California, 94043, U.S.A.
Citizenship: United States of America

Full name of fifth inventor:

Erik W. Egan

Inventor's signature:

 Date: 3/14/05

Residence:

5437 Lawton Avenue, Oakland, California, 94618, U.S.A.

Post office address:

5437 Lawton Avenue, Oakland, California, 94618, U.S.A.

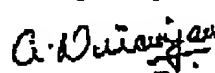

Citizenship:

United States of America

Full name of sixth inventor:

Niranjan Gopinathan

Inventor's signature:

 Date: 03/09/05 

Residence:

~~1370 Calabazas Blvd., #6, Santa Clara, California, 95051, U.S.A.~~

Post office address:

~~1370 Calabazas Blvd., #6, Santa Clara, California, 95051, U.S.A.~~

3425b ASPEN LOOP, UNION CITY, CA 94587

Citizenship:

India

Full name of seventh inventor:

David K. Nakamoto

Inventor's signature:

 Date: 03/09/2005

Residence:

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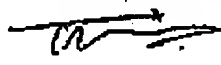
3178 Cortona Drive, San Jose, California, 95135, U.S.A.

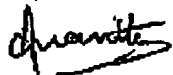
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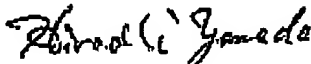
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